

# **THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS**

## **Minutes February 5, 2009**

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Division of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on February 5, 2009.

### **MEMBERS PRESENT**

Roger McDonald, Chairman  
Craig Newbern  
Edward Mercer  
Kathryn Witt  
Mary Pedersen

### **OCCUPATIONS & PROFESSIONS STAFF**

Frances Short, Division Director  
Susan Ellis, Fiscal Section Supervisor  
Adriana Lang, Board Administrator

### **MEMBERS ABSENT**

Gary Tinker  
Daniel Triplett

### **OTHERS PRESENT**

Angela Evans, Attorney

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### **CALL TO ORDER**

The Chairman, Mr. Roger McDonald, called the meeting to order at 1:00 p.m.

### **APPROVAL OF MINUTES**

The minutes of the January 8, 2009 meeting was called to the attention of the members. A motion was made by Mr. Edward Mercer to approve the minutes. The motion, seconded by Mr. Craig Newbern, carried.

### **FINANCIAL STATEMENT**

The Board reviewed the Financial Statement indicating the balances of \$142,850.99 from July 1, 2008 to December 31, 2008. A motion was made by Mr. Edward Mercer to accept the Financial Statement. The motion, seconded by Ms. Mary Pedersen, carried.

### **LICENSURE STATUS REPORT**

The Board reviewed the licensure status report of February 5, 2009.

### **DIRECTOR'S REPORT**

Ms. Frances Short informed the Board of an e-mail she received from Mr. Douglas Clement regarding Pretexting Laws in Kentucky. After discussing the matter, Ms. Mary Pedersen made a motion for Ms. Angela Evans to draft a response to Mr. Douglas. The motion, seconded by Mr. Edward Mercer, carried.

Ms. Short provided the Board a copy of the Office of the Attorney General (OAG) Customer Service Survey for legal services.

Ms. Short provided the Board an update on the Schroeder Measurement Technology (SMT) exam score reporting language. The Board authorized Ms. Frances Short and Mr. Gary Tinker to have a conference call with SMT to finalize the exam scores process.

### **ANGELA EVANS/ LEGAL MATTERS**

Ms. Angela Evans provided the Board the following updates:

A certified cease and desist letter has been mailed to Whitehall Bureau, Inc/ Brian Finney, and someone signed for the letter. Ms. Evans stated that if the Board wishes to continue with any further action, she would do so upon the Board's request.

Ms. Evans stated that is waiting to receive a response from Mr. Robert Wilson.

**ANGELA EVANS/ LEGAL MATTERS CONTINUED**

Ms. Evans stated that she spoke with Mr. Rick Everroad and he requested to withdrawn his application and his hearing request. For that reason, the hearing is dismissed.

The 201 KAR 329A.020, 201 KAR 329A.41:040, 201 KAR 329A.41:060, 201 KAR329A.41.065, 201KAR329A.41:070 are active effectively January 5, 2009,

Ms. Evans provided the Board a copy of the Executive Branch Ethics Commission's Advisory Opinion 09-9.

**OLD BUSINESS**

The Chairman, Mr. Roger McDonald., inquired about the changes on the website. Mr. Frances Short stated that she sent Mr. Tinker's request to the person in charge of the website. She also stated that she will follow up on the request and bring an update to the next Board meeting.

The Chairman, Mr. Roger McDonald, requested staff members to provide him a copy of the Kentucky/Tennessee Reciprocal Agreement. Staff members stated that they would provide him an electronic copy as soon as the meeting adjourned.

**NEW BUSINESS**

The Board reviewed correspondence from Mr. Blackley requesting continuing education approval for Investigative Training, LLC. After a brief discussion of the 201 KAR 41:040 (9), Mr. Edward Mercer made a motion to table Mr. Blackley's request until the next available meeting. The motion, seconded by Ms. Kathryn Witt, carried.

The Board reviewed correspondence from the Kentucky State Police regarding an increase to the fee for finger print fee.

**APPLICATION REVIEW COMMITTEE**

Mr. Edward Mercer gave the following report from the Applications Review Committee. Mr. Edward Mercer made a motion to approve the applications committee recommendations. The motion, seconded by Ms. Mary Pedersen, carried.

INDIVIDUALS APPROVED WITH PROVISIONS: *Donavan Davis and Mary Toohey.*

DEFERRED: *Benjamim Reddick and Kevin Todd.*

DENIED: *Michael Mann.*

COMPANY APPROVED WITH PROVISIONS: Tier 1, ltd.


**TRAVEL AND PER DIEM**

A motion was made by Mr. Edward Mercer to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. The motion, seconded by Mr. Craig Newbern, carried.

**ADJOURNMENT**

The Chairman, Mr. Roger McDonald informed the Board that the next meeting is scheduled for Thursday, March 5 2009, at 1:00 p.m., the Application Review Committee Meeting at 10:00 p.m. Having no further business to be brought before the Board, a motion was made by Mr. Craig Newbern to adjourn. Motion seconded by Ms. Mary Pedersen, carried. The meeting adjourned at 2:25 p.m.

**APPROVED**

  
Chairman